

REMARKS

Claims 1-44 are pending in the present application. Claims 6-44 have been withdrawn, claims 2-4 have been cancelled without prejudice and claims 1 and 5 have been amended, leaving claims 1 and 5 for consideration upon the entry of the amendment. Support for the amendment can be found in the entire specification, for example, lines 9-13 of page 4.

The Examiner has objected to the specification as failing to provide proper antecedent basis for the claimed subject matter, specifically, "dividing line extending between each two individual layer like areas runs crosswise to the surface contour of the basic material" in claim 5.

The limitation "dividing line extending between each two individual layer like areas runs crosswise to the surface contour of the basic material", in claim 5, has been amended to recite "an interface between each two different layer-like areas runs crosswise to the surface contours of the basic material". This limitation is fully supported by a figure 3. In the figure 3, the layer like areas A, B and C are divided by interfaces between the areas A, B and C and the interfaces are crosswise to a basic material G. Further, the specification describes coating B made of several layer like areas A, B and C, which are arranged next to another following the contours of a basic material G. Thus, the specification provides proper antecedent basis for the subject matter of claim 5.

Accordingly, Applicants respectfully request that the Examiner withdraw the objection.

Claim 5 stands rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The limitation "dividing line extending between each two individual layer like areas runs crosswise to the surface contour of the basic material" in Claim 5 has been amended to recite "an interface between each two different layer-like areas runs crosswise to the surface contours of the basic material", as suggested by the Examiner.

Further, the limitation "the basic material" in last line of claim 5 was rejected for the antecedent basis. The limitation "the basic material" recites "a basic material" in the second line

of claim 5. Thus, the limitation "the basic material" in the last line of claim 5 is believed to satisfy the antecedent requirement of 35 U.S.C. §112, second paragraph.

Accordingly, Applicants respectfully request that the Examiner withdraw the rejection.

Claims 1-5 stand rejected under 35 U.S.C. §102(b) as being anticipated by Yamazaki et al., US 5776596 (hereinafter "Yamazaki"). "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. V. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Moreover, "[t]he identical invention must be shown in as complete detail as is contained in the \* \* \* claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Since claims 2-4 have been cancelled without prejudice, the rejection of claims 2-4 is moot.

Claim 1 includes the following limitations: "the film comprising several layer-like areas, at least one of the layer-like areas including the property-changing component, and a concentration of the property-changing component embedded in one of the layer-like areas varying in a direction of a thickness of one of the layer-like areas." The Examiner states that "a concentration of the property changing components embedded in layer like areas to vary in a thickness direction of a layer thickness", in the previously presented claim 3 and incorporated in the amended claim 1, is interpreted as "the concentration of the property changing component must change over the thickness of the film". Applicants respectfully disagree with the Examiner.

In claim 1, the concentration of the property-changing component embedded in one layer-like area is varied in the direction of the single layer's thickness, thereby laying out the layer properties depending on the thickness of the single layer-like area (See, page 4 or 7 of the Application). Thus, the concentration of the property-changing component is changed in the direction of a single layer's thickness, which includes the property-changing component, rather than in the thickness direction of the film including all of the layer-like areas.

On the contrary, the composition of the lubricant, in Yamazaki, changes in a thickness direction of the film, as stated by the Examiner. Thus, Yamazaki does not disclose or teach all of the limitations of claim 1. Accordingly, Yamazaki does not anticipate or render obvious claim 1.

Claim 5 depends from claim 1 and as such, includes all of the limitations of claim 1. Thus, claim 5 is believed to be allowable due to its dependency on claim 1. Accordingly, Applicants respectfully request that the rejection be withdrawn.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130 maintained by Applicants' attorneys.

Respectfully submitted,

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